

104TH CONGRESS
2D SESSION

H. R. 3475

To require an annual report by the Secretary of Health and Human Services on alcohol advertising practices, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 1996

Mr. KENNEDY of Massachusetts (for himself, Mr. HINCHEY, Mr. FALEOMAVAEGA, and Mr. FATTAH) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To require an annual report by the Secretary of Health and Human Services on alcohol advertising practices, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Alcohol Advertising
5 Accountability Act of 1996”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) In 1995, the Department of Health and
9 Human Services found that there is a significant un-

1 derage drinking problem and estimated that there
2 are 11 million drinkers of alcoholic beverages who
3 are under the age of 21. Of that number, 2 million
4 are heavy drinkers of such beverages.

5 (2) In 1995, the proportion of students having
6 5 or more drinks in a row during the 2 week period
7 preceding the Monitoring the Future Survey were 15
8 percent for 8th graders, 24 percent for 10th grad-
9 ers, and 30 percent for 12th graders.

10 (3) The median age at which children begin
11 drinking alcoholic beverages is just over 13 years. 67
12 percent of students in the 8th grade have tried an
13 alcoholic beverage.

14 (4) A 1995 survey found that 50 percent of the
15 teenagers who were asked said that alcohol is a more
16 serious problem among today's youth than illicit
17 drugs.

18 (5) In 1993, nearly 10 percent (over 110,000)
19 of the clients admitted to State-funded alcohol treat-
20 ment programs were under the age of 21.

21 (6) Alcoholic beverage companies spent \$2 bil-
22 lion to advertise and promote their products in
23 1995. The budget of the National Institute on Alco-
24 hol Abuse and Alcoholism for the same year was
25 \$176 million.

1 (7) According to a study published in the Amer-
2 ican Journal of Public Health, viewing beer ads on
3 television may predispose young people to drinking
4 beer. Children who are more aware of beer advertise-
5 ments hold more favorable beliefs about drinking
6 beer and intend to drink beer more frequently as
7 adults.

8 (8) Almost half of all adults think that alcohol
9 industry advertising greatly influences underage
10 youth to drink alcoholic beverages, another one-third
11 think industry advertising has some influence.

12 **SEC. 3. REPORT OF SECRETARY ON ALCOHOL ADVERTIS-**
13 **ING.**

14 (a) ACTION BY THE SECRETARY.—The Secretary of
15 Health and Human Services shall report annually to the
16 Congress on alcohol advertising, its profile and its effects.
17 To assist the Secretary in gathering information for such
18 report, the Secretary shall establish a panel made up of
19 such individuals as the Secretary, in the Secretary's dis-
20 cretion, may select from individuals in the Department of
21 Health and Human Services or any other Federal agency.

22 (b) PANEL FUNCTION.—The panel established by the
23 Secretary of Health and Human Services under subsection
24 (a) shall review alcohol advertising in all media, including
25 broadcast and cable television, other electronic means, and

1 print and outdoor advertising and review promotional ac-
2 tivities undertaken to promote the sale of alcoholic bev-
3 erages. The Secretary shall convene at least 2 public hear-
4 ings before the panel established under subsection (a) each
5 year and shall have the panel conduct a hearing in each
6 of the regional offices of the Department of Health and
7 Human Services over the 5-year period beginning on the
8 date of the enactment of this Act.

9 (c) REPORT CONTENT.—The report of the Secretary
10 of Health and Human Services under subsection (a) shall
11 be developed on the basis of the work conducted by the
12 panel established under subsection (a) and shall include—

13 (1) an identification of—

14 (A) the media used by alcohol advertising
15 to reach children,

16 (B) the total expenditures for alcoholic
17 beverage advertising in each media and in pro-
18 motions,

19 (C) the extent to which media program au-
20 diences are under the age of 21,

21 (D) an identification of the types and
22 themes of alcohol advertising in all media (espe-
23 cially in broadcast) and other electronic means,

1 (E) any graphics, slogans, children's char-
2 acters, and techniques that are used and that
3 appeal to youth, and

4 (F) the extent to which other promotional
5 efforts used to market alcoholic beverages which
6 appear in clothing, sporting events, contests,
7 and concerts appeal to individuals under the
8 age of 21;

9 (2) a determination of the extent to which
10 young people are exposed to alcohol advertising and
11 promotions of alcoholic beverages;

12 (3) an evaluation of the relationship between al-
13 cohol advertising practices and underage drinking,
14 drunk driving, and related public health problems;
15 and

16 (4) an evaluation of alcohol industry sponsored
17 campaigns addressing public service and prevention
18 messages for underage drinking, drunk driving, and
19 other alcohol-related topics.

20 (d) RECOMMENDATIONS.—The report of the Sec-
21 retary of Health and Human Services under subsection
22 (a) shall also include such recommendations for legislation
23 as the Secretary determines are appropriate.

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